S.B.Cr.Misc. Bail App. No. 4502/2007

(Sohan Bharti Vs. State of Rajasthan)

Date of order : 12/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. R.S.Chundawat for the petitioner.
Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the statement of prosecutrix aged about 19-20 years recorded by Judicial Magistrate, Jaitaran under Section 164 Cr.P.C.

In her statement recorded by Judicial Magistrate, the prosecutrix stated that she voluntarily went with the petitioner, married to him and had sexual intercourse at her freewill and consent.

Without commenting on the merit of the case, looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Sohan Bharti S/o Dev Bharti be released on bail in FIR No. 137/2006 P.S. Sendra, district Pali, provided he executes a personal bond for a sum of Rs. 20,000/- with

two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP